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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------------|
| 09/846,616 | 05/01/2001 | Sheldon Kasower | Might Net- CardPal | 5416 |
| 51413 | 7590 | 06/05/2007 | | |
| MARC E. HANKIN, ESQ. 11414 THURSTON CIRCLE LOS ANGELES, CA 90049 | | | EXAMINER AKINTOLA, OLABODE | |
| | | | ART UNIT 3691 | PAPER NUMBER |
| | | | MAIL DATE 06/05/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/846,616

Applicant(s)

KASOWER, SHELDON

Examiner

Olabode Akintola

Art Unit

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/19/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This office action is in response to applicant's communication filed on 3/19/2007. Claims 18-33 are pending.

Response to Arguments

Applicant's arguments filed 3/19/2007, with respect to the rejection(s) of claim(s) 18 under 35 U.S.C. 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of an additional prior art reference.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 18-19, 21-24, 26-29 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sunstein et al. (U.S. Patent No. 6985887) in view of Yun et al (20020069122).

Re Claims 18, 23, 28 and 33: Sunstein et al teaches a method and corresponding system for on-line card management for use with a computer network wherein at least one card is issued to a plurality of card users by card issuing organizations, the method comprising the steps of: providing a card management system accessible from said computer network said system having a plurality of card management services available for the plurality of card issuers; providing simultaneous access to the card management system by the plurality of card users; providing for the selection of at least one of a plurality of card management services provided by said computer system by the plurality of card users; providing for the inputting of data associated with the selected card management service; providing inputted associated data to the card issuing organization by means of the card management system; and making a record of the inputted data within the card management system (see col. 1, lines 59-67).

Sunstein does not explicitly teach that the credit card registry is over a computer network. Yun teaches credit card registry is over a computer network (section 0054, 0057-0060, Fig. 1, RN {102, 104 & 112}). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sunstein to include this feature. One would have been motivated to do so in order to facilitate ecommerce transaction (section 0033)

Re Claims 19, 24 and 29: Sunstein et al teaches the step wherein said plurality of card management services includes registering at least one card by inputting associated card data (col. 1, lines 59-67:)

Re Claims 21-22, 26-27 and 31-32: Sunstein et al teaches maintaining a record of associated data by the card management system; informing the card user that the card issuing organization has been provided the associated data (col. 1, lines 59-67:)

Claims 20, 25 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sunstein in view of Yun as applied in claim 18 above, in view of Scharmer (USPN 5640577), further in view of Mewhinney (USPN 6804346) and further in view of Geerlings (USPN 5956693).

Re claims 20, 25 and 30: Sunstein teaches wherein card management services includes card management services selected from the group consisting of: change of address (see col. 1, lines 59-67)

Sunstein does not explicitly teach request for a new card, notification of a billing dispute, request for a copy of a bill, change of marital status, a change in name, and a request for an increase in credit line. Mewhinney teaches notification of a billing dispute, request for a copy of a bill and a request for an increase in credit line (col. 5, lines 1-14). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sunstein to include all these elements as taught by Mewhinney. One would have been motivated to do so in order to accommodate other requests and/or functionalities depending on the operational needs of the registry, thereby enhancing the efficiency of the system (see Mewhinney: col. 5, lines 12-14). Scharmer teaches request for a new card (col. 1, lines 15-20). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sunstein in combination with

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Mewhinney to include this element as taught by Scharmer. One would have been motivated to do so in order to accommodate other requests and/or functionalities depending on the operational needs of the registry, thereby enhancing the efficiency of the system (see Mewhinney: col. 5, lines 12-14). Geerlings teaches change of marital status and a change in name (col. 3, lines 19-22). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Sunstein in combination with Mewhinney to include all these elements as taught by Geerlings. One would have been motivated to do so in order to accommodate other requests and/or functionalities depending on the operational needs of the registry, thereby enhancing the efficiency of the system (see Mewhinney: col. 5, lines 12-14).

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

i. Natsumo (U.S. Patent No. 6910624) discloses *Mobile communication terminal and card information reading device* (see col. 21, lines 29-38)

ii. Ettorre, B ("*Paul Kahn on exceptional marketing*": Management Review v83n11 PP: 48-51 Nov 1994 CODEN: MRVWDJ ISSN: 0025-1895 JRNL CODE: MRV) discloses credit registry that allows card holder to report stolen cards and request new ones (see page 3 of 5, Para 8).

iii. *“Ideon, Credit-Card Registry That Bellyflopped This Year, Is Drawing Some Bottom-Fishers”* The Wall Street Journal, pC2; August 21, 1995; ISSN:0193-2241 discloses credit registry that allows card holders to report stolen cards to issuers and when customer moves, e.t.c (see Abstract).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571- 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'H. M. Kazimi', with a stylized flourish at the end.

HANI M. KAZIMI
PRIMARY EXAMINER